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Add. Asst.....	49.80
Binding and repairs.....	13.95
Binding and repairs.....	2.35
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Add. Asst.....	1.00
Add. Asst.....	14.28
Add. Asst.....	6.52
Add. Asst.....	580
Add. Asst.....	4.00
Add. Asst.....	1.40
<b>\$1,028.16</b>	

**TWENTY-THIRD DAY.**

Senate Chamber,  
Austin, Texas,

Thursday, February 10, 1921.

The Senate met at 10 o'clock a. m. pursuant to adjournment, and was called to order by Lieutenant Governor Lynch Davidson.

The roll was called, a quorum being present, the following Senators answering to their names.

Baugh.	McMillin.
Bledsoe.	McNealus.
Buchanan.	Murphy.
Clark.	Page.
Cousins.	Parr.
Darwin.	Richards.
Davidson.	Rogers.
Dudley.	Russell.
Fairchild.	Watts.
Floyd.	Williams.
Hall.	Witt.
Harp.	Wood.
Hertzberg.	Woods.
Lewis.	

Absent—Excused.

Bailey.	Dorough.
Carlock.	Suiter.

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator McNealus.

Excused.

(On account of important business.)

Senator Bailey, for today, on motion of Senator Buchanan.

See Appendix for Petitions and Committee Reports.

**Bills and Resolutions.**

By Senator Page:

S. B. No. 205, A bill to be entitled "An Act providing that the Secretary of State may charge, as fee of his office, a sum for investigations made by employees of that Department, and declaring an emergency."

Read first time and referred to Committee on State Affairs.

By Senator Russell:

S. B. No. 206, A bill to be entitled "An Act to amend Article 3934 ½, 3934 ½a and Article 3934 ½ of Title 59A, Revised Civil Statutes of Texas, relating to fire escapes required of owners and lessees of certain buildings; providing for fire alarm systems for certain non-fireproof buildings; requiring the posting of notices of the location of fire escapes therein, and declaring an emergency."

Read first time and referred to Committee on Towns and City Corporations.

By Senator Russell:

S. B. No. 207, A bill to be entitled "An Act creating a County Court at Law for Stephens County, Texas; defining and establishing the jurisdiction of said Court and defining the jurisdiction retained by the County Court of Stevens County; providing for the term and practice for County Court at Law for Stephens County, Texas, for the election, qualification

of judge thereof and the term of same; providing for the bond and oath of said judge; for the appointment of the judge thereof; providing for the issuance of writs and the return and service of same; providing for the appointment of Jury Commissioners, the selection of juries, the filling of the vacancies in the election of judge; the fees and salaries of the judge of the County Court at Law of Stephens County, and declaring an emergency."

Read first time and referred to Committee on Judicial Districts.

By Senator Russell:

S. B. No. 208, A bill to be entitled "An Act to create a more efficient road system for Stephens County, Texas, defining the duties and powers of the commissioners court of said county relative to roads and bridges of said county and to empower the commissioners court to establish rules, regulations and a system for maintenance, laying out, construction and repair of such roads and bridges, and to condemn property for such purposes and making such county commissioners ex-officio road commissioners of their respective districts, and prescribing their duties and compensation as road commissioners; and providing for the selection of a county engineer of said county, prescribing the time for which he shall serve, his duties and compensation and providing conditionally for the employment of a consulting engineer; and providing for the laying out and widening, drainage, construction, building, repairing and maintenance of public roads of said county and for a classification and abandonment thereof; and providing for the condemnation of lands and material for use in opening, construction, repairing and maintaining such public roads; authorizing the said court to direct the opening up of and to open drains along railways in said county; and providing for the separation of crossings with the railways and railroads to such county, and the division of the expense thereof, and prohibiting the blockade of the county road by trains, etc., and fixing a penalty; and establishing road service and road overseers in said county and providing for the payment of a road tax; and directing the application of the road and bridge fund of said

county; and the proceeds of the sale of the bonds of said county issued for road and bridge purposes; authorizing the employment of all necessary labor, teams, wagons, and other equipment, and providing for the necessary clerical help and providing for payment thereof; and providing for the use and management and control of the county convicts of said county; and providing for the letting of contracts and the purchase of supplies in certain cases; and prohibiting the members of said court and officers of said county from becoming financially interested therein; and providing for the issuance and sale of bonds in said county for the purpose of the purchase of district roads and the further construction, building, improving, repairing and maintaining roads and bridges of a permanent nature in said county and authorizing a transfer to the road and bridge fund of any money collected or that may be collected on account of any bonds hereafter retired and cancelled, requiring the county treasurer of said county to keep account of the sale of such bonds and limit his duties in the disbursement thereof, conferring authority upon the commissioners court of said county as to the purchase and lease of material, machinery and equipment, and providing that under certain conditions money may be advanced by said county for such purposes, to condemn private property or material situated in the county for road and bridge purposes; to authorize the issuance and sale of bonds under this Act; prescribing duties for the county judge and the county treasurer under such bond sales; providing for expenditure for road purposes and the leasing, purchasing and acquiring of road material and equipment and making of contracts; providing for transfer of balance in bond funds; providing penalty for violation of provisions of this Act; providing for payment of road duty and for collecting money due by persons liable for road duty; providing for appointment of special road overseers and providing compensation therefor; providing for the purchase, lease and operating of stone quarries, sand and gravel pits and removing materials therefrom to the public roads; ratifying acts of the commissioners court

made heretofore which are in conformity with this Act; declaring this Act cumulative of the general laws, except in case of conflict, when this Act shall control; repealing all laws in conflict with this Act, including Chapter 151 of the Special Laws of the Regular Session of the Thirty-third Legislature, and declaring an emergency."

Read first time and referred to Committee on Roads, Bridges and Ferries.

By Senator Cousins:

S. B. No. 209, A bill to be entitled "An Act providing for the payment of witnesses in felony cases residing outside of the State of Texas and within two hundred miles of the State boundary; and declaring an emergency."

Read first time and referred to Committee on Criminal Jurisprudence.

By Senator Cousins:

S. B. No. 210, A bill to be entitled "An Act to amend Section 29, Chapter 118, General Laws of the Thirty-second Legislature, Regular Session, approved March 28th, 1911, as amended by Chapter 36, page 91, General Laws, Thirty-third Legislature, First Called Session, 1913, entitled 'An Act to authorize the Commissioners Courts of the several counties of Texas to create and establish drainage districts, to construct canals, drains and ditches, to make levees, improve streams and water courses, and make other improvements for the purpose of drainage, etc., and declaring an emergency,' the said section relating to the execution of a bond by the county judge after registration of drainage bonds, payment of premium by drainage district if bond is executed by surety company, and providing for the compensation of the county judge for his services so that said section shall hereafter read as herein set out, and declaring an emergency."

Read first time and referred to Committee on Mining, Irrigation and Drainage.

By Senator Davidson:

S. B. No. 211, A bill to be entitled "An Act to further regulate the procedure in the trial of civil cases requiring the parties, under the direction of the Court, to frame the issues

involved before the introduction of any evidence, and requiring the Court's charge in submitting the case to the jury to conform to the issues so framed, and further providing that the trial court, in acting upon motions for new trials, shall be satisfied that substantial justice has been done."

Read first time and referred to Committee on Civil Jurisprudence.

By Senator Floyd:

S. B. No. 212, A bill to be entitled "An Act to amend Chapter 78 of the Second Called Session of the Thirty-sixth Legislature by repealing Section 31 thereof and adding thereto a new section to be known as Section 31, providing that it shall not be necessary in any prosecution under this Act to negative the exceptions herein made, but the same shall be available to the defendant as purely defensive matters, and declaring an emergency."

Read first time and referred to Committee on Criminal Jurisprudence.

By Senator Cousins:

S. B. No. 213, A bill to be entitled "An Act diminishing the jurisdiction of the county court of Tyler County, Texas, so that such court will have only the jurisdiction of a probate court, and conferring the civil and criminal jurisdiction of said county upon the court of Tyler County, and declaring an emergency."

Read first time and referred to Committee on Judicial Districts.

By Senators Parr and Darwin:

S. B. No. 214, A bill to be entitled "An Act to amend Section 118 of Chapter 61 of the General Laws passed by the Third Called Session of the Thirty-sixth Legislature and approved June 19th, 1920, by providing that superintendents of schools who have been superintendents of said school for a period of ten consecutive years are exempt from the provision requiring the holding of a first grade or permanent certificate, and declaring an emergency."

Read first time and referred to Committee on Educational Affairs.

By Senator Clark:

S. B. No. 215, A bill to be entitled "An Act requiring every individual,

firm, association or corporation, owning, keeping, conducting or managing an institution or home for the boarding or sheltering of infant children or so-called 'Baby Farm,' or any laying-in hospital, hospital ward, maternity home or other place for the reception care and treatment of pregnant women, charging a fee or receiving or expecting compensation shall obtain an annual license from the State Board of Health which license shall be issued without fee. Local Health Officer to be given notice of the granting and terms of license. Local Health Officer to inspect such places at intervals. Requiring the reporting of the birth of any child in such place within twenty-four hours after its occurrence to the Local Health Officer. Making it unlawful to operate or conduct any such above mentioned place without having the license mentioned, imposing a fine and other penalty for violation of this Act, and stipulating that any license shall be revoked if owner be convicted of conducting a 'disorderly house,' as that term is defined in the criminal laws of this State, and declaring an emergency."

Read first time and referred to Committee on Public Health.

By Senator Woods:

S. B. No. 216, A bill to be entitled "An Act to amend Article 3884 of the Revised Civil Statutes of the State of Texas of 1911, so as to provide compensation for county attorneys for services rendered as district attorneys in those counties which constitute separate judicial districts, upon whom have been conferred or placed the duties of district attorneys in such judicial districts, and declaring an emergency."

Read first time and referred to Committee on Civil Jurisprudence.

By Senator Wood:

S. B. No. 217, A bill to be entitled "An Act amending Articles 3297 and 3300 of Chapter 7 of Title 52 of the Revised Civil Statutes of the State of Texas, and adding thereto Articles 3300a and 3300b, so as to provide that temporary administrators appointed may be made permanent administrators, and declaring an emergency."

Read first time and referred to Committee on Civil Jurisprudence.

By Senators Fairchild, Williams, Richards and Cousins:

S. B. No. 218, A bill to be entitled "An Act for the formation of corporations to act as trustee, broker or agent under any lawful trust committed to them by contract for any lawful purpose; provided such corporation shall not exercise banking privileges nor be authorized to do any act violating any of the anti-trust or other laws of this State; providing the method of their formation; placing the same under the supervision of the Commissioner of Insurance and Banking, and declaring an emergency."

Read first time and referred to Committee on Insurance and Banking.

By Senators Fairchild and Cousins:

S. B. No. 219, A bill to be entitled "An Act requiring persons slaughtering any cow, steer, heifer, bull or calf purchased from some other persons to take and be in possession of a bill of sale or if not purchased making the affidavit herein provided for and requiring a sworn affidavit that they came into lawful possession of same and have a lawful right to slaughter same, and declaring an emergency."

Read first time and referred to Committee on Criminal Jurisprudence.

By Senator Witt:

S. B. No. 220, A bill to be entitled "An Act creating the Hewitt Independent School District in McLennan County, Texas; defining its boundaries, including the present Hewitt Independent School District; providing for a board of trustees in said district, conferring upon said district and its board of trustees all the rights, powers, privileges and duties now conferred and imposed by the General Laws of Texas upon independent school districts and the boards of trustees thereof; providing that the present board of trustees continue in office until the expiration of their respective terms; providing for an assessor and collector of taxes and board of equalization; providing that the Hewitt Independent School District as herein created shall become bonded and liable for the payment of its pro rata part of any outstanding bonded indebtedness heretofore voted upon any territory taken away from any other school

district and included within the bounds of the Hewitt Independent School District as herein created, and declaring an emergency."

Read first time and referred to Committee on Educational Affairs.

By Senator Witt:

S. B. No. 221, A bill to be entitled "An Act to amend Subdivision 60 of Article 1121, of Chapter 2, Title 25, Revised, Civil Statutes of Texas 1911, so as to permit corporations, chartered under the provision of said subdivision to also acquire, hold and operate motor vehicles, either with or without tracts, for the transportation of freight or passengers for hire, from and to any point or points in and adjacent to the city or towns within and through which said company operates."

Read first time and referred to Committee on State Affairs.

#### Message from the House.

Hall of the House of Representatives,  
Austin, Texas, Feb. 10, 1921.

Lieutenant Governor Lynch Davidson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bill:

S. B. No. 38, A bill to be entitled "An Act creating, establishing and providing for the maintenance of a State Tuberculosis Sanatorium for Negroes, and declaring an emergency."

Respectfully submitted,

N. K. BROWN,

Chief Clerk, House of Representatives.

Morning call concluded.

#### Special Committee.

The Chair here appointed the following committee to arrange for block picture: Senators Rogers, Russell, Hays, Watts and Murphy.

#### Senate Bill No. 7.

Senator Clark here called up S. B. No. 7, with the following House amendments:

(1) By inserting after the word designated, in line 26, the following: "And providing a penalty for the use

of any such vehicle for any purpose except in the transaction of business for the State of Texas."

(2) Add Section 3 as follows:

Sec. 3. Any person who shall use automobile, truck, or other motor vehicles owned by the State of Texas, for any purpose, except in the transaction of business for the State of Texas, shall be deemed to be guilty of a misdemeanor and upon conviction shall be fined in any sum not less than Five (\$5.00) Dollars nor more than Five Hundred (\$500.00) Dollars.

Senator Clark moved that the Senate concur in the House amendments.

Senator Bledsoe moved, as a substitute, that the Senate do not concur in the House amendments, and that a free conference committee be appointed.

The substitute motion was adopted.

#### Senate Concurrent Resolution No. 15.

Resolved, by the Senate, the House of Representatives concurring, that Miss Mary McSwiney, of Cork, Ireland, who is now touring the United States, be invited to address the Legislature, at her convenience, on conditions and problems in Ireland.

Wood, McNealus, Page, Murphy, Hall.

The resolution was read and adopted.

#### Conference Committee On Senate Bill No. 7.

The Chair here announced the following as members of the Conference Committee on S. B. No. 7: Senators Hall, Bledsoe, Fairchild, Cousins, Buchanan.

#### Message from the House.

Hall of the House of Representatives,  
Austin, Texas, Feb. 10, 1921.

Lieutenant Governor Lynch Davidson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has adopted:

H. C. R. No. 19, inviting Hon. R. E. Thomason to address the Legislature.

The House has passed the following bills:

H. B. No. 277, A bill to be entitled "An Act creating the Tuscola Independent School District in Taylor

County, Texas; defining its boundaries; providing for a Board of Trustees in said district; conferring upon said district and its Boards of Trustees all the rights, powers, privileges and duties now conferred and imposed by the general laws of Texas upon independent school districts and the Board of Trustees thereof; declaring that all taxes or bonds heretofore authorized by any former school district included within the bounds thereof shall remain in full force and effect, and declaring an emergency."

H. B. No. 338, A bill to be entitled "An Act creating and incorporating the Lyford Independent School District in Cameron County, Texas, including the town of Lyford; defining its boundaries; providing for a Board of Trustees, and assuming all contracts, debts, including bonded indebtedness of Lyford Independent School District; investing said district with all the rights, privileges and duties of an independent school district created under the general laws of the State of Texas for free school purposes only, and declaring an emergency."

Respectfully submitted,

N. K. BROWN,

Chief Clerk, House of Representatives.

#### Bills Read and Referred.

The Chair (Lieutenant Governor Davidson) had referred, after their captions had been read first time, the following House bills:

H. B. No. 277, referred to Committee on Educational Affairs.

H. B. No. 338, referred to Committee on Educational Affairs.

#### House Concurrent Resolution No. 19.

The Chair laid before the Senate, H. C. R. No. 19, a resolution inviting Hon. R. E. Thomason to address the Legislature.

The resolution was read and adopted.

#### Senate Bill No. 121.

Action here recurred on the pending business from yesterday:

S. B. No. 121, the question being on the pending motion to adopt the minority, adverse, committee report.

Pending discussion on the bill and the dispatch of other business,

Senator Clark moved that the Senate recess until 3 o'clock this afternoon.

The motion was lost.

Senator Murphy asked unanimous consent to here take up, out of its order, a local bill. There was objection.

Action then recurred on the pending motion to adopt the minority, adverse, committee report, which motion was lost by the following vote:

Yeas—8.

Baugh.	McMillin.
Clark.	McNealus.
Floyd.	Watts.
Hall.	Woods.

Nays—14.

Bledsoe.	Murphy.
Buchanan.	Page.
Cousins.	Parr.
Davidson.	Russell.
Dudley.	Williams.
Hertzberg.	Witt.
Lewis.	Wood.

Absent.

Fairchild.

Absent—Excused.

Bailey.	Dorough.
Carlock.	Suiter.

(Pairs Recorded.)

Senator Harp (present), who would vote nay; with Senator Darwin (absent), who would vote yea.

Senator Rogers (present), who would vote nay; with Senator Richards (absent), who would vote yea.

The motion to adopt the favorable report prevailed.

Senator Witt offered the following several amendments, which were read and adopted:

(1) Amend S. B. No. 121, page 2, line 9, by striking out the word "will" in line 9 and insert instead the word "may."

(2) Amend S. B. No. 121, page 2, line 10, by adding after the word "classes" the words "and others."

(3) Amend S. B. 121 by adding after Section 4 an additional section and renumbering as follows:

"Provided salaries and expenses paid hereunder shall be approved by the State Superintendent of Education and an itemized statement of all expenditures shall be preserved by the Superintendent of Education and an

annual report of same to the Governor and the Legislature be made on or before January 1st of each year.

Senator McNealus, at 12:30 o'clock p. m., moved that the Senate recess until 3 o'clock p. m. today. The motion was lost.

Senator McNealus called for the reading of the bill in full.

Senator Rogers made the point of order that the motion come too late, since the bill was read in full on yesterday.

The Chair sustained the point of order.

The bill (S. B. No. 121) was then passed to engrossment.

#### **Recess.**

On motion of Senator Clark, the Senate, at 12:40 o'clock p. m., recessed until 3 o'clock p. m. today.

#### **After Recess.**

(Afternoon Session.)

The Senate was called to order by Lieutenant Governor Davidson.

Here Senator Bledsoe, for the Committee on Civil Jurisprudence, asked if the Senate would indulge the committee for a short time, whereupon Senator McNealus moved that the committee be given the time and that the Senate would not act upon any general legislation for that time.

The motion was adopted.

#### **Simple Resolution No. 46.**

Resolved, that the Governor of Texas and the Attorney General of the State be requested to furnish the Senate with information, explaining the status of the State's interests in the iron works at Rusk and the collateral properties that were formerly a part of the prison system of Texas, including the contracts made with, payments of money received and balances due the State from the Texas Steel Company, or what has commonly been known as the Featherstone Syndicate; these statements to include the information as to the correctness of the reports that these iron works properties are being dismantled by the Court Receiver in charge, to pay his salary.

McNealus, Fairchild, Davidson, Floyd, Cousins.

The resolution was read and adopted.

#### **Simple Resolution No. 47.**

By Senator Fairchild:

Whereas, in the work of the Senate, there is frequently occasion for reference to the Bible, as well as to other legal and historical records; and

Whereas, there is now available in the State Capitol only one small and antique volume of Holy Writ, with no special reference facilities; and

Whereas, much delay and inconvenience is occasioned by this lack of a suitable reference edition of the Bible for the use of the Senate in the study of early laws; therefore, be it

Resolved, by the Senate, that out of its available funds a sufficient amount, not exceeding \$20.00, be furnished to the Senate Librarian for the purchase of a completely indexed Bible, giving historical data, marginal references, and containing maps, illustrations, topical tables and outlines, index and digest, as well as a concordance and other sidelights on the study of the Scriptures which will make the volume most suitable for reference in legislative work; and that the Senate Librarian be instructed to purchase such book and to retain same in her custody for the use of the Senate.

The resolution was read and adopted.

#### **Senatorial Contest Matter.**

Senator McNealus here called up from the table the report of the Committee on Privileges and Elections, reference to the Richards-Eickenroht contest. The matter was laid before the Senate, and

On motion of Senator Wood the Senate was at ease for a short time waiting for the members of the Committee on Civil Jurisprudence.

At 3:40 o'clock p. m. the Senate was called to order by Lieutenant Governor Davidson.

#### **Pending Business.**

Action recurred on the pending business, the committee report from the Committee on Privileges and Elections, and

Senator McNealus moved that the

written report be amended so as to add the word "temporarily" after the word "demurrer," and the words "the pleadings in" after the word "with" in the next line. Unanimous consent was given.

Senator McNealus moved to adopt the committee report. (See Journal of Feb. 7 for the report and pleadings.)

Senator Bledsoe moved as a substitute that the report be not adopted and referred back to the Committee on Privileges and Elections.

The substitute motion was lost.

Senator Fairchild offered the following amendment:

Amend Committee report by striking out the words "and that the evidence be adduced," in line 6, page 1, after the word "case" and before the word "and."

Senator Darwin made the point of order that the committee report could not be amended, that the only question being only the adoption or rejection of the report.

The Chair, Lieutenant Governor Davidson, overruled the point of order.

Action recurred on the amendment and the same was adopted.

Senator McNealus here moved that the Senate be at ease for the purpose of members of the Senate to sit in the Committee on Privileges and Elections.

The motion prevailed and the Senate was so at ease.

#### In the Senate.

At 5:10 o'clock p. m. the Senate was called to order by President Pro Tem Page.

#### Senate Bill No. 176.

By unanimous consent given to Senator Parr.

The Chair laid before the Senate on second reading,

S. B. No. 176, A bill to be entitled "An Act creating the Falfurrias Independent School District in Brooks County, Texas; defining its boundaries, providing for a Board of Trustees in said district, conferring upon said district and its Board of Trustees all the rights, powers, privileges and duties now conferred and imposed by the General Laws of Texas upon independent school districts, and the Boards of Trustees thereof; declaring

that all taxes or bonds heretofore authorized by any former school district included within the bounds thereof shall remain in full force and effect, and declaring an emergency."

The committee report was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Parr the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 176 put on its third reading and final passage by the following vote:

Yeas—28.

Bailey.	Lewis.
Baugh.	McMillin.
Bledsoe.	McNealus.
Buchanan.	Murphy.
Clark.	Page.
Cousins.	Parr.
Darwin.	Richards.
Davidson.	Rogers.
Dudley.	Russell.
Fairchild.	Watts.
Floyd.	Williams.
Hall.	Witt.
Harp.	Wood.
Hertzberg.	Woods.

Absent—Excused.

Carlock.	Suiter.
Dorough.	

The bill (S. B. No. 176) was read third time and passed finally by the following vote:

Yeas—28.

Bailey.	Lewis.
Baugh.	McMillin.
Bledsoe.	McNealus.
Buchanan.	Murphy.
Clark.	Page.
Cousins.	Parr.
Darwin.	Richards.
Davidson.	Rogers.
Dudley.	Russell.
Fairchild.	Watts.
Floyd.	Williams.
Hall.	Witt.
Harp.	Wood.
Hertzberg.	Woods.

Absent—Excused.

Carlock.	Suiter.
Dorough.	



**Senate Bill No. 88.**

(By Unanimous Consent.)

The Chair laid before the Senate on second reading,

S. B. No. 88, A bill to be entitled "An Act to amend Section 61 of Article 30, Title 5, of the Revised Statutes changing the time of holding the terms of the District Court of the Sixty-first Judicial District of Texas, repealing all laws and parts of laws in conflict therewith, and declaring an emergency."

The committee report was adopted.

The bill was read second time and passed to engrossment.

**Senate Concurrent Resolution No. 14**  
—Made Special Order.

Senator McNealus called from the table and the Chair laid before the Senate,

S. C. R. No. 14, relative to the University removal.

Senator McNealus moved that the consideration of the resolution be made a special order for Monday, Feb. 14, following the conclusion of the morning call.

**Senate Bill No. 89.**

The Chair laid before the Senate on second reading,

S. B. No. 89, A bill to be entitled "An Act to amend Chapter Forty-six (46) of the Acts of the Regular Session of the Thirty-sixth Legislature, so as to provide that all corporations that are required by law to pay an annual franchise tax shall make a report to the Secretary of State between the first day of January and the fifteenth day of March, and prescribing what such report shall contain; providing that the Secretary of State may, for good cause shown, extend such time to any date up to the first day of May; providing the date such report shall be made by certain foreign corporations; prescribing penalty for failure to make such report; providing that such report shall be subject to inspection only by persons who are interested directly in the subject matter of such report, and declaring an emergency."

The bill was read second time and Senator Dudley moved that the bill be recommitted.

The motion to recommit was adopted.

**Adjournment.**

On motion of Senator Cousins the Senate, at 5:35 p. m., adjourned until 10 o'clock tomorrow morning.

**APPENDIX.****Petitions.**

Senator McNealus offered and had read a communication from Port Arthur Trades and Labor Council, protesting against the passage of the Industrial Court bill. This was referred to Senator Witt.

Senator McNealus offered and had read a communication from San Angelo, protesting against the passage of County Bounty bill. This was referred to Committee on Stock and Stock Raising.

**Committee Reports.**

Senate Chamber,  
Austin, Texas, Feb. 10, 1921.

Hon. Lynch Davidson, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 121 carefully compared and find same to be correctly engrossed.

HARP, Chairman.

**(Minority Report.)**

Committee Room,  
Austin, Texas, Feb. 10, 1921.

Hon. Lynch Davidson, President of the Senate.

Sir: We, a minority of your Committee on State Affairs, to whom was referred

H. B. No. 1, A bill to be entitled "An Act to amend Article 1173, Chapter 4, Title 15, and Article 1142, Chapter 3, Title 15 of the Code of Criminal Procedure of the State of Texas, relating to the fees allowed sheriffs or other peace officers performing the same services in misdemeanor cases to be taxable against the defendant on conviction and the allowance to sheriffs by the Commissioners' Court of the several counties in this State for the safe keeping of prisoners in jail, or under guard, and declaring an emergency,"

Have had the same under consideration, and beg leave to report the same

back to the Senate with the recommendation that it do pass.

WILLIAMS,  
WOOD,

(Majority Report.)

Committee Room,  
Austin, Texas, Feb. 10, 1921.  
Hon. Lynch Davidson, President of the Senate.

Sir: We, a majority of your Committee on State Affairs, to whom was referred

H. B. No. 1, A bill to be entitled "An Act to amend Article 1173, Chapter 4, Title 15 and Article 1142, Chapter 3, Title 15 of the Code of Criminal Procedure of the State of Texas, relating to the fees allowed sheriffs or other peace officers, performing the same services in misdemeanor cases to be taxable against the defendant on conviction and the allowance to sheriffs by the Commissioners' Court of the several counties in this State for the safe keeping of prisoners in jail, or under guard, and declaring an emergency,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do not pass.

WOOD, Acting Chairman.

Committee Room,  
Austin, Texas, Feb. 10, 1921.  
Hon. Lynch Davidson, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

S. B. No. 196, A bill to be entitled "An Act granting Willie Jackson's permission to sue the State of Texas for any sum not exceeding Three Thousand (\$3,000) Dollars, because of being erroneously and improperly confined in the penitentiary for a term of years for which he was not sentenced, fixing the venue, and declaring an emergency,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

WOOD, Acting Chairman.

Committee Room,  
Austin, Texas, Feb. 10, 1921.  
Hon. Lynch Davidson, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

S. B. No. 142, A bill to be entitled "An Act to amend Title 3 of the Revised Civil Statutes of the State of

Texas, 1911, entitled "Aliens," relating to the rights, powers and disabilities of aliens and of certain companies and corporations with respect to property in this State, providing for escheats in certain cases, prescribing the procedure therein, requiring reports of certain property holdings to facilitate the enforcement of this Act, prescribing penalties for the violation of the provisions hereof, and repealing all Acts or parts of Acts inconsistent or in conflict herewith, and declaring an emergency,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, with the following amendments:

That Article 19a be changed to read as follows:

"Article 19a. No alien who is not eligible to citizenship under the laws of the United States, may acquire, possess, enjoy and transfer any real property designated, used for, or known as agricultural, mining or ranching lands, or any interest or leasehold right therein, in this State. Such aliens may acquire by any lawful manner the fee title to, or any interest or leasehold right to real property located in cities or towns to be used for residential, commercial or industrial purposes, and not otherwise, provided, this article shall not apply to land or any interest or leasehold right therein now owned by such aliens so long as the same is held by present owner or owners."

That Article 19b be changed to hereafter read as follows:

"Article 19b. No company, association or corporation organized under the laws of this or any other State or nation, at which a majority of the members are aliens other than those specified in Chapter 1 of this Act, or in which a majority of the issued stock is owned by such aliens ineligible to citizenship, may acquire, possess, enjoy and convey any fee title, interest of any character or leasehold right in any real property in this State designated, used for, or known as agricultural, ranching or mineral lands. Provided such corporations, companies or associations may lease or own lands or interest therein in cities or towns for commercial, residential or industrial purposes and not otherwise, provided this article shall not apply to land or any interest or leasehold right therein nor

held by such company, association or corporation so long as the same is held by its present owners."

By inserting after Article 21e, Section 2, the following:

"The articles, sections, subsections, sentences and clauses of this Act are separable, and if for any reason any article, section, subsection, sentence or clause thereof is held unconstitutional, such decision shall not affect the validity of any of the remaining portions of this Act."

Then change present Section 2 to read Section 3.

WOOD, Acting Chairman.

Committee Room,

Austin, Texas, Feb. 10, 1921.

Hon. Lynch Davidson, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

S. B. No. 163, A bill to be entitled "An Act amending Article 4606 of Title 67 of the Revised Civil Statutes of Texas, 1911, declaring the eleventh day of November of each year a legal holiday and designating November 11th as 'Victory Day,'"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

WOOD, Acting Chairman.

Committee Room,

Austin, Texas, Feb. 10, 1921.

Hon. Lynch Davidson, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

S. B. No. 174, A bill to be entitled "An Act to amend Article 3883 of Chapter 40 of the General Laws of the State of Texas, passed by the Thirty-sixth Legislature at its Third Called Session, regulating the fees allowed county officers in certain counties of this State, and declaring an emergency,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

WOOD, Acting Chairman.

Committee Room,

Austin, Texas, Feb. 10, 1921.

Hon. Lynch Davidson, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

S. B. No. 95, A bill to be entitled "An Act to amend Section 1 of Chap-

ter 81 of the Local and Special Laws of the State of Texas, passed by the Thirty-sixth Legislature at its Regular Session, so as to redefine with greater certainty the territory within the Donna Independent School District, and declaring an emergency,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

WITT, Chairman.

Committee Room,

Austin, Texas, Feb. 10, 1921.

Hon. Lynch Davidson, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

S. B. No. 94, A bill to be entitled "An Act creating the Weslaco Independent School District in Hidalgo County, Texas; defining its boundaries; providing for a Board of Trustees in said district; conferring upon said district and its Boards of Trustees all the rights, powers, privileges and duties now conferred and imposed by the General Laws of Texas upon independent school districts and the Board of Trustees thereof; declaring that all taxes or bonds heretofore authorized by any former school district included within the bounds thereof shall remain in full force and effect; providing for the appointment of an Assessor and Collector of Taxes and Board of Equalization for said district, and declaring an emergency,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

WITT, Chairman.

Committee Room,

Austin, Texas, Feb. 10, 1921.

Hon. Lynch Davidson, President of the Senate.

Sir: We, your Committee on Labor, to whom was referred

S. B. No. 46, A bill to be entitled "An Act regulating the employment of women and minors, creating and establishing an Industrial Welfare Commission; providing for their appointment by the Governor; fixing their salaries; authorizing the Commission to employ a secretary and other employees necessary to enforce the Act and fixing their salaries; defining the duties of the Commission

and prescribing certain duties of persons, firms or corporations employing women and minors; prescribing and fixing the powers of the Commission; prohibiting the discharge, intimidation or discrimination against employers who may testify before or furnish the Commission with information and providing penalties therefor; providing for prosecution for violations of the Act and the orders of the Commission; prescribing the manner for a review of any order, finding or determination of the Commission; conferring the right of civil action by employees who are paid less than the minimum wage fixed by the Commission; prescribing the manner in which complaints may be registered with the Commission; defining the persons to whom the Act shall apply; making an appropriation to carry out the purposes of the Act; providing for the repeal of all laws or parts of laws in conflict with the Act, and declaring an emergency."

Have had the same under consideration, and I am instructed to report same back to the Senate with the recommendation that it do not pass, but that Senate Committee Substitute for same do pass.

McNEALUS, Chairman.

Committee Room,  
Austin, Texas, Feb. 9, 1921.  
Hon. Lynch Davidson, President of the Senate.

Sir: We, your Committee on Roads, Bridges and Ferries, to whom was referred

H. B. No. 34, A bill to be entitled "An Act amending Article 6923 of Title 119 of the Revised Civil Statutes of the State of Texas, of 1911, providing that any person summoned to work on the public roads of this State shall be exempt from the performance of such work upon the payment to the road overseer of his district of \$2.00 for each and every day he is summoned to work, and exempting such person from all penalties for failure to work on such roads for the time for which he has so paid, and declaring an emergency,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, with the following amendment:

"That the sum of \$2.00 be changed

to read \$1.50, and that the sum of \$7.50 be changed to read \$5.00."

McMILLIN, Chairman.

Committee Room,  
Austin, Texas, Feb. 9, 1921.  
Hon. Lynch Davidson, President of the Senate.

Sir: We, your Committee on Roads, Bridges and Ferries, to whom was referred

S. B. No. 51, A bill to be entitled "An Act to provide a systematic method of road maintenance; the creation of a patrol system for the care and upkeep of the public roads and highways of the State; providing for the office of county road superintendent; defining his duties; and prescribing the duties and liabilities of all persons subject to road duty; further providing that short term convicts of the State may be worked upon the public roads; prescribing and fixing penalties for the violation or neglect of the duties here imposed; repealing all laws in conflict herewith, and declaring an emergency,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, with the following amendment added to the end of Section 2:

"provided that wherever a county employs a county engineer that said county engineer shall be the county road superintendent and shall draw only the salary provided for the county engineer."

McMILLIN, Chairman.

Committee Room,  
Austin, Texas, Feb. 9, 1921.  
Hon. Lynch Davidson, President of the Senate.

Sir: We, your Committee on Roads, Bridges and Ferries, to whom was referred

H. B. No. 67, A bill to be entitled "An Act creating a special road law for Corvell County, Texas, and providing for an emergency,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass and be not printed.

McMILLIN, Chairman.

Committee Room,  
Austin, Texas, Feb. 9, 1921.  
Hon. Lynch Davidson, President of the Senate.

Sir: We, your Committee on

Roads, Bridges and Ferries, to whom was referred

H. B. No. 82, A bill to be entitled "An Act to repeal Section 8, of Chapter 4, of the Local and Special Laws passed at the Third Called Session of the Thirty-fifth Legislature, which was 'An Act to create a more efficient road law for Cass County,' etc., and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass and be not printed.

McMILLIN, Chairman.

Committee Room,

Austin, Texas, Feb. 10, 1921.

Hon. Lynch Davidson, President of the Senate.

Sir: We, your Committee on Labor, to whom was referred

S. B. No. 41, A bill to be entitled "An Act to repeal Chapter 160 of the Acts of the Regular Session of the Thirty-sixth Legislature, approved April 3, 1919, the same being 'An Act regulating the employment of women and minors and establishing an Industrial Welfare Commission, to investigate and deal with such employment, including the fixing of a minimum wage: providing for an appropriation therefor, and fixing penalties for violating this Act, etc.,' and declaring an emergency."

Have had the same under consideration, and I am instructed to report same back to the Senate with the recommendation that it do pass.

McNEALUS, Chairman.

Committee Room,

Austin, Texas, Feb. 10, 1921.

Hon. Lynch Davidson, President of the Senate.

Sir: We, your Committee on Labor, to whom was referred

S. B. No. 167, A bill to be entitled "An Act to amend Chapter 160 of the Acts of the Regular Session of the Thirty-sixth Legislature of the State of Texas, approved April 3rd, 1919, the same being 'An Act regulating the employment of women and minors and establishing a Board of Industrial Welfare to investigate and deal with such employment, including the fixing of minimum wage, providing for an appropriation therefor, and fixing penalties for the violation thereof and declaring an emergency'; by providing for the appointment of a Board of Industrial

Welfare; defining their powers and duties; fixing their salaries, and fixing penalties for the violation thereof, and declaring an emergency."

Have had same under consideration, and I am instructed to report same back to the Senate with the recommendation that it do pass.

McNEALUS, Chairman.

Committee Room,

Austin, Texas, Feb. 9, 1921.

Hon. Lynch Davidson, President of the Senate.

Sir: We, your Committee on Criminal Jurisprudence, to whom was referred

S. B. No. 109, A bill to be entitled "An Act providing that freight charges on car loads of coal delivered at any point within the State of Texas, where railroad track weighing scales are owned, or used, or maintained at the point of delivery, or in the line of transit, shall be based upon the actual weight of said coal, prescribing the manner of weighing such coal, providing a penalty for violation of any provision of this Act; repealing all laws and parts of laws in conflict herewith and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

HERTZBERG, Chairman.

#### TWENTY-FOURTH DAY.

Senate Chamber,

Austin, Texas,

Friday, February 11, 1921.

The Senate met at 10 o'clock a. m. pursuant to adjournment, and was called to order by Lieutenant Governor Lynch Davidson.

The roll was called, a quorum being present, the following Senators answering to their names:

Bailey.	McMillin.
Baugh.	Murphy.
Bledsoe.	Page.
Buchanan.	Parr.
Clark.	Richards.
Cousins.	Rogers.
Dudley.	Russell.
Fairchild.	Watts.
Floyd.	Williams.
Hall.	Witt.
Harp.	Wood.
Hertzberg.	Woods.